

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ATLANTIC RECORDING CORPORATION; )  
CAPITOL RECORDS, LLC; ELEKTRA ) Civil Action No. 08-CIV-3922-DC  
ENTERTAINMENT GROUP INC.; )  
INTERSCOPE RECORDS; MOTOWN RECORD )  
COMPANY, L.P.; PRIORITY RECORDS LLC; )  
UMG RECORDINGS, INC.; )  
VIRGIN RECORDS AMERICA, INC.; and )  
WARNER BROS. RECORDS INC., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
PROJECT PLAYLIST, INC. )  
 )  
Defendant. )

PURSUANT TO RULE 1.3(c) of Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, and upon my annexed declaration, I, Eva Temkin, a member in good standing of the bar of this Court, hereby move for an order allowing the admission *pro hac vice* of:

Gary A. Orseck  
Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP  
1801 K Street, N.W., Suite 411  
Washington, D.C. 20006  
Tel: (202) 775-4500  
Fax: (202) 775-4510

Mr. Orseck is a member in good standing of the bars of the District of Columbia and the states of California and Florida. There are no pending disciplinary proceedings against Mr. Orseck in any State or Federal Court.

Dated: May 22, 2008  
Washington, D.C.

Respectfully submitted,

By:



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Eva Temkin

ROBBINS, RUSSELL, ENGLERT, ORSECK,  
UNTEREINER & SAUBER

1801 K Street, N.W., Suite 411

Washington, D.C. 20006

Tel: (202) 775-4500

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*Attorneys for Plaintiffs*

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INTERSCOPE RECORDS; MOTOWN RECORD )	<b>ECF CASE</b>
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PROJECT PLAYLIST, INC. )	
	)
Defendant. )	
	)

**DECLARATION OF EVA TEMKIN IN SUPPORT OF**  
**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

I, EVA TEMKIN, declare as follows:

1. I am an associate at the law firm of Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP, counsel for Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Gary A. Orseck as counsel *pro hac vice*.

2. I am a member in good standing of the bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I am an associate at Mr. Orseck's law firm, Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP.

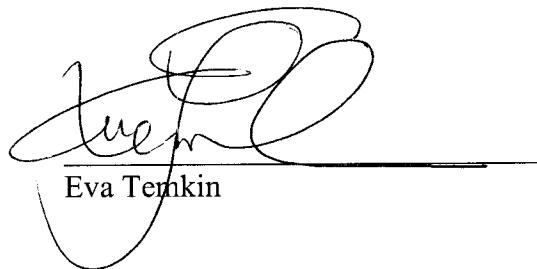
4. Mr. Orseck is a member in good standing of the bars of the District of Columbia and the states of Florida and California. Attached to this declaration as exhibits A, B, and C are certificates issued within the last 30 days indicating that Mr. Orseck is a member in good standing of each of these three bars.

5. Mr. Orseck is a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with, among other things, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the local rules governing practice in this court, and the Judicial Code governing practice in the United States district courts.

6. For the foregoing reasons, I respectfully request the *pro hac vice* admission of Gary A. Orseck.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 22, 2008  
Washington, D.C.



A handwritten signature in black ink, appearing to read "Eva Temkin", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'E' and 'T'.

Eva Temkin

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SOUTHERN DISTRICT OF NEW YORK

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PROJECT PLAYLIST, INC. )	
	)
Defendant. )	
	)

**[PROPOSED] ORDER FOR ADMISSION *PRO HAC VICE* ON WRITTEN MOTION**

Upon the motion of Eva Temkin, attorney for Plaintiffs, and said sponsor attorney's declaration in support, it is

ORDERED that

Gary A. Orseck  
 Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP  
 1801 K Street, N.W., Suite 411  
 Washington, D.C. 20006  
 Tel: (202) 775-4500  
 Fax: (202) 775-4510  
 Email: gorseck@robbinsrussell.com

is admitted to practice *pro hac vice* as counsel for plaintiffs in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply

for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac fee to the Clerk of Court.

SO ORDERED.

Dated:  
New York, New York

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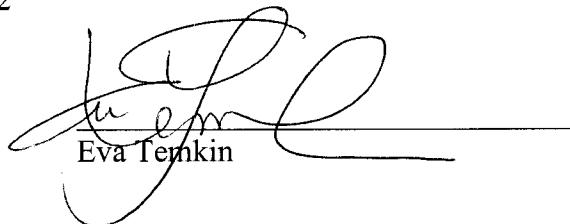
United States District Judge

**CERTIFICATE OF SERVICE**

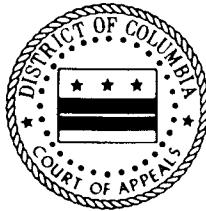
I hereby certify that on May 22, 2008, I caused a copy of the Motion to Admit Counsel *Pro Hac Vice*, the Declaration of Eva Temkin in Support of Motion to Admit Counsel *Pro Hac Vice*, and the Proposed Order for Admission *Pro Hac Vice* to be served on defendant Project Playlist, Inc. by mailing them to:

Robert B. Kory and Michelle L. Rice  
Law Offices of Robert B. Kory  
9300 Wilshire Blvd., Suite 200  
Beverly Hills, CA 90212

Dated: May 22, 2008

  
\_\_\_\_\_  
Eva Temkin

# EXHIBIT A



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D.C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

GARY ANDREW ORSECK

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was on the 17<sup>th</sup> day of JUNE, 1992

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on May 9, 2008.

GARLAND PINKSTON, JR., CLERK

By: *Sherry Corbin*  
Deputy Clerk

# EXHIBIT B



# The Florida Bar

JOHN F. HARKNESS, JR.  
EXECUTIVE DIRECTOR

651 EAST JEFFERSON STREET  
TALLAHASSEE, FLORIDA 32399-2300

850/561-5600  
www.FLORIDABAR.ORG

State of Florida )

County of Leon )

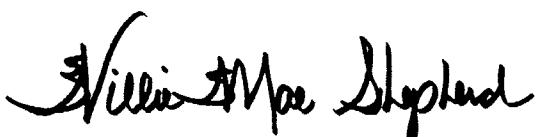
In Re: 846015  
Gary Andrew Orseck  
Robbins Russell Englert, et al  
1801 K. St. N.W., Ste. 411-L  
Washington, DC

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on April 27, 1990.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is an inactive member of The Florida Bar.

Dated this 18<sup>th</sup> day of May, 2008.

  
Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/KLTh2:R12

# EXHIBIT C



**THE STATE BAR  
OF CALIFORNIA**

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

**MEMBER SERVICES CENTER**

TELEPHONE: 888-800-3400

May 2, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, GARY ANDREW ORSECK, #141053 was admitted to the practice of law in this state by the Supreme Court of California on January 13, 1989; that from the date of admission to March 8, 1990, he was an ACTIVE member of the State Bar of California; that on March 8, 1990, he transferred at his request to the INACTIVE status as of January 1, 1990; that he has been since that date, and is at date hereof, an INACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert".  
Kath Lambert  
Custodian of Membership Records

NOTE: Only ACTIVE members of the State Bar of California are entitled to practice law in California. (See Sections 6006 and 6125 et seq., Business and Professions Code.)